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# PARISH & DISTRICT COUNCILS

Revised by  
MICHAEL PEASE

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ABIAN TRACT No. 62

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# PARISH AND DISTRICT COUNCILS :

## What they are and what they can do

The public affairs of every Parish and Town in England and Wales are managed by Meetings and popularly elected Councils. Almost all adult men and women are electors for these bodies, and are therefore responsible for their doings; and every man and woman and child in the kingdom is to a greater or less degree affected by the manner in which they do their work. This tract does not deal with London nor with County and Town Councils. It treats of the following local governing bodies, namely:

1. Parish Councils, together with Parish Meetings, in the larger parishes.
2. Parish Meetings without Parish Councils in the smaller parishes.
3. Urban District Councils in smaller towns and thickly populated districts.
4. Rural District Councils, which have control in all places where there are no Town Councils nor Urban District Councils.

The powers and duties of these bodies, and the rules governing their elections and proceedings, are far from simple, and many people do not fully understand them. This tract is intended to explain them as clearly as possible. If any part of the tract is not clear to any reader, or any point is omitted on which he wants information, he can write to the Secretary of the Fabian Society, 11, Dartmouth Street, London, S.W.1, who will endeavour to send him a full and clear answer free of charge.

### I. Methods of Election

#### WHO ARE THE ELECTORS

One set of rules decides who can take part in the election of all these bodies, that is to say, who can attend the Parish Meeting and who may vote for Parish, Urban, and Rural District, Councillors. The persons who are entitled to vote in these elections are the persons whose names appear on the Register of Civilian Residence Electors, or on the Register of Service Voters, or on the special Ratepayers' Register, and they can vote at all of them, and no one else can vote at any of them, or has the right to attend and take part in the Parish Meeting. Those on one of these registers can vote, and those not on any of them cannot. A person can be registered as an elector in every parish for which he is qualified; and he can vote at the Parish Meeting and for the Parish Councillors in every such parish. But he can vote only in one ward of any one parish or urban district for Parish Councillors or Urban District Councillors; and only in one parish of any Rural District for Rural District Councillors. In other words, he can vote only once in the election for any one council.

#### HOW TO BECOME AN ELECTOR

A man is entitled to be registered as an elector if he is of full age and not subject to any legal incapacity and is on the 30th of June occupying any premises within the area.

A woman is entitled to be registered as an elector (a) whenever she would be entitled to be registered if she were a man; or (b) where she is over 21 years of age and is the wife of a man who is registered in respect of premises in which they both reside.

### WHO CAN BE CANDIDATES

Any person who is an elector for any of these bodies may be a candidate for it, subject to the statutory disqualifications referred to in the next paragraph. Owners of property within the area by freehold or leasehold are qualified to be candidates. And any person, man or woman, married or single, who has resided within the parish or district for twelve months before the date of nomination, may be a candidate. The rules as to residence are as follows: For District Councils it must be within the District. For Parish Councils it must be in the parish or within three miles of its boundary. Residence cannot be exactly defined; this, however, is certain, that any person who has had a bedroom which he generally uses, and always can use, for a year before the date of the election, is a resident in that place.

### WHO CANNOT BE CANDIDATES

No one may be elected a Councillor who is under twenty-one, or who is not a British subject, or who has, within the last year, received non-medical poor law relief, or who has within the last five years been made bankrupt or imprisoned with hard labour for any crime (mere imprisonment as alternative to a fine or for non-payment of rates, does not disqualify), or who holds any paid office under that particular Council. But a person holding a paid office under the District Council can be elected a Parish Councillor, or a paid officer of the Parish Council can be elected a District Councillor. And a paid officer of the Rural District Council can be an Urban District Councillor, and vice versa.

Moreover, a contract for letting or selling land does not disqualify. Therefore, persons who lease allotments to, or rent them from, a Council or who live in Council houses are not disqualified from being members of that Council.

### HOW CANDIDATES CAN CONDUCT ELECTIONS

There is no limit to the expenses which candidates at these elections may incur for election addresses, meetings, etc., but all such expenses will have to be paid by themselves. Only the official expenses of the election will be paid out of the rates.

In Urban Districts, at elections of Councillors, no meetings may on any account be held in public-houses, or clubs with licences to sell intoxicants, or even in places where refreshments of any sort are sold. A candidate for whom or by whom a meeting is held in such premises can be unseated for illegal practices.

But this rule does not apply to Rural Districts. In elections of Parish or Rural District Councillors, public meetings may be held in any place whatever; but rooms in licensed premises or places where refreshments are sold must not be hired or used as Committee Rooms.

No money may be spent on hiring carriages or bands, or for flags, ribbons, torches, etc. Every bill printed must bear the name and address of the printer and publisher.

### POLLING AGENTS.

For Parish Council Elections one-third or more of the candidates, but no less number, may appoint one joint polling agent to look after their interests in the polling booth and to prevent fraud. For District Council Elections, each candidate, if there are only two, or one-third of them or more if there are more than two, may appoint one agent. He may be paid or unpaid. A

candidate may be appointed polling agent. Every polling agent must be appointed in writing, and the appointment must be sent to the returning officer two clear days before the poll. No person may go into the polling place except the Presiding Officer and his clerks, policemen on duty, polling agents, and persons about to vote.

### THE USE OF SCHOOL ROOMS BY CANDIDATES

Candidates for District and Parish Councils have the right to use for election meetings a suitable room in any publicly maintained primary school within the electoral area. It is desirable as a rule to give a week's notice, and meetings can only be held at times which will not interfere with the ordinary use of the school. The persons making use of the rooms must pay the costs of lighting, heating and cleaning.

### ELECTIONS AT THE PARISH MEETING

Parish Councillors are nominated at the Parish Meeting on printed forms supplied by the clerk. Written forms are equally good if correctly made out. Each nomination must be signed by two Parish Electors. The law specially provides that no mistake in spelling or other error of that sort shall make a nomination invalid, provided it is quite clear who is the person nominated, and who nominates him. If the chairman decides that a nomination paper is valid, no one can afterwards object to it. If he wrongly decides that a nomination is invalid, it would be possible, though very expensive, to reverse his decision by election petition. The nominations must be handed to the chairman, who must read them over in alphabetical order. A person nominated may withdraw at the meeting before the voting takes place, but not after it, unless a poll is demanded. Before the voting, any elector can ask questions of the candidates, and all candidates, whether electors or only residents, have a right to be present and to reply to the questions asked, and it is the duty of the chairman to allow time for this to be done. At the meeting the candidates are voted for by show of hands. Candidates, if electors, can vote for themselves, and practically electors can vote for as many candidates as they like ; since although the law says they must not vote for more than the number of Councillors to be elected, it gives the chairman no power to refuse any elector's vote.

Five electors, or one-third of those present if less than 13 are present, or one elector with the consent of the chairman, can demand a poll. A candidate has no right to demand it, except as an elector. Candidates can withdraw after a poll is demanded by a formal letter to the Returning Officer, up to six days before the poll. But the nominators of a candidate cannot withdraw him. A Parish Council may apply to the County Council for an Order abolishing the election by show of hands and substituting election by poll only.

### ELECTIONS BY BALLOT

All polls for Parish and District Councillors are conducted under nearly the same rules. They are by secret ballot; each elector can give one vote and no more to as many candidates as there are vacancies.

### CASUAL VACANCIES

Vacancies may be caused by a Councillor dying, becoming disqualified through receipt of non-medical poor relief, bankruptcy, crime, etc. (see page 4), or by failing to attend meetings for six months consecutively (unless prevented by illness or some other reason approved by the Council), or by resignation. A person who ceases to be qualified by ceasing to be a resident or an elector, can remain a Councillor until his term of office expires.

## II. Description

### THE PARISH MEETING WHERE THERE IS NO COUNCIL

In parishes of less than 300 inhabitants the governing body is usually the Parish Meeting. It must assemble at least twice a year. At the annual meeting, to be held between 1st March and 1st April, inclusive, it must appoint a chairman. Other meetings may be called at any time by the chairman or by any six electors. Documents must be signed by the chairman and two parochial electors at the meeting or by the Chairman of the Parish Meeting and the Rural District Councillor of the Parish for the time being. If the chairman be absent, another may be elected, who will, during that meeting, possess all the powers of the chairman. All Parish Meetings in parishes with or without a Council must be held not earlier than six o'clock in the evening. This rule applies to Parish Meetings only, and not to meetings of any council.

### THE PARISH MEETING WHERE THERE IS A COUNCIL

This must meet at least once a year, between the 1st of March and the 1st of April, inclusive, and in 1946 and every third year thereafter its business will be to receive nominations for the Parish Council, and to elect it unless a poll is demanded.

The chairman of the Parish Council has the right to preside unless he be a candidate for the Council. If nominated as Councillor he must, unless he declines to stand, at once ask the meeting to choose another chairman. In that case, or if the chairman of the Council is absent, the meeting may elect as chairman any parish elector.

The Parish Meeting has many other very important duties. It must consider the accounts of every secular Parish Charity. It can refuse to pass them, and can appeal to the Charity Commissioners if such accounts are not satisfactory. It must be consulted if the Council propose to spend more than a 4d rate. No right of way can be stopped without its consent. It may decide whether the village shall have a recreation ground and free library, lights in the street, or a new burial ground. It can appoint committees, and it can pass resolutions on any subject that concerns the parish or any part of it.

It is the Parliament of the village, which has the right to assemble at any time and to discuss and demand redress of any grievances which the villagers have. It can instruct the Parish Council (that is, its Executive Committee) to take any action which it thinks needful; but it should be added that the Parish Council is not bound to obey its instructions, except in matters specified in some Act of Parliament. Whatever the Parish Council can do, however, the Parish Meeting can discuss.

It can be summoned by demand of any six parochial electors, or any two Parish Councillors, or by the chairman. The demand must be written, printed, or otherwise manifoldeled, and must be signed by the persons demanding the meeting. It must specify the time, place, and object of the meeting, and must be posted on the church door and in other conspicuous places in the parish. Seven clear days' notice must generally be given. Large parishes may be divided into wards, and small ones be united into groups; but each ward or each small parish has its own Parish Meeting and elects its own Councillors to sit on the common Parish Council. A ward has not a separate meeting for any purpose except electing Councillors.

### THE PARISH COUNCIL

This Council is elected at or after the Annual Parish Meeting in March or April, 1946, in every third year thereafter, and holds office for three years. Its first duty is to elect a chairman, who may be one of the members or any

other person qualified to be a Parish Councillor for the parish. It may also appoint a Vice-Chairman. The chairman in all cases has a second or casting vote and remains in office until his successor is appointed. The council must also appoint a clerk, who may be one of its own members, but in that case the office must be unpaid. The Council may also appoint as treasurer, without pay, a Councillor or any other person. A Councillor can resign by sending a letter of resignation to the chairman. Vacancies in the Council are filled by the Council itself co-opting a new member. Meetings of the Council are open to the public unless a special resolution to the contrary is passed by the Council.

## OTHER REGULATIONS FOR ALL RURAL PARISHES

**Rooms.**—If there is a room belonging to the parish which can be had free of charge, the meetings are held there. But if not, then a room in a primary school which receives public money, or in a police station or workhouse or other building maintained out of the rates, may be used free of charge, provided that the ordinary employment of the room is not interfered with. If none of these be available, a room may be hired. The Parish Meeting or Council may only assemble in a room in a public house when no other room can be obtained free of charge or at a reasonable cost.

These regulations apply to all Parish Meetings, to meetings of the Parish Councils, and to meetings held to consider allotments. They do not apply to Urban Districts.

**Polls.**—A poll may be demanded on any matter on which a vote has been taken at a Parish Meeting, and the demand may be made at any time before the conclusion of the meeting. Five electors, or one-third of the electors present (whichever number is the lesser), or one elector with the consent of the chairman, can demand a poll in the cases just named and for (1) the election of Councillors ; (2) appointment of chairman or of a committee, or various matters connected with a committee ; (3) appointment of trustees, or beneficiaries of a charity ; (4) adoption of the Public Libraries, Lighting and Watching, and other Acts ; (5) place and time of Parish Meeting ; (6) the incurring of any expense ; (7) applications or complaints to County or District Council ; (8) and several other matters.

## THE URBAN DISTRICT COUNCIL

In small towns and thickly populated districts, such as the suburbs of large cities and towns, the local governing authority is usually an Urban District Council. It has powers and duties very similar to those exercised by the Town Council in large towns, except that it does not control the police. In an Urban District there are no Parish Meetings or Councils and the Rural District Council has no control in the area. Urban Districts are usually divided into wards, each of which elects a certain number of members. The members sit for three years, one-third retiring each year; but the County Council may make an Order that all the Councillors retire together every third year, if the Urban District Council, by a vote at least of two-thirds of the members present and voting, applies for it. A chairman, who may be a woman and who may be elected from outside the Council, must be appointed. A vice-chairman, who must be a Councillor, may also be appointed. The chairman has a second or casting vote, and is a J.P. by virtue of his office. Full details about these Councils will be found in Fabian Tract 189, "Urban District Councils".

A Councillor can resign by sending a letter to the clerk. A casual vacancy is filled by a fresh election, unless it occurs within six months of a new election coming in ordinary course, in which case it is not filled.

## THE RURAL DISTRICT COUNCIL

In all parts of England and Wales outside London, except Boroughs and Urban Districts, there are Rural District Councils. That is to say, wherever there are Parish Councils or Parish Meetings, there are also Rural District Councils. Each of the parishes in the Rural District elects one or more members to its Rural District Council. Very small parishes, however, are often joined with neighbouring parishes into electoral divisions. If there is a contest, the election must be by ballot, which is conducted by the clerk to the Rural District Council. The Councillors sit for three years, and one-third of them retire every year. But the County Council can make an Order, if the Rural District Council apply for it, that all the Councillors shall retire together once every three years. The rules as to chairman, vice-chairman, retirement of Councillors, and casual vacancies are exactly the same as for Urban District Councils.

## III. Powers

### POWERS OF THE PARISH MEETING WHERE THERE IS NO PARISH COUNCIL

In parishes where there is no Council, the Parish Meeting possesses very nearly all the powers, duties, and rights of a Parish Council, and it can obtain all of them by application to the County Council.

If the parish has at least three hundred inhabitants, it may apply to the County Council for a Parish Council, and the application must be granted. A parish with less than three hundred inhabitants may also apply, but in this case the County Council is not obliged to grant the application. A parish may also apply to be grouped with other parishes and so obtain a Parish Council.

The following are most of the powers and duties which the Meeting of a parish without a Council does not possess, but which it may gain by obtaining either a Parish Council or the powers of a Parish Council:

- (1) Power to acquire land, by purchase or gift, for a recreation ground, for a parish hall, for allotments, or any other purpose.
- (2) Power to appoint additional trustees to certain charities, except where there is at present only one trustee.

With these exceptions, the whole of the following paragraphs, dealing with Parish Councils, apply also to parishes which have only a Parish Meeting.

### POWERS OF PARISH COUNCILS

#### ALLOTMENTS

It is the business of the Parish Council to find allotments for those who wish them. It may purchase or hire land by a voluntary agreement with the landlord or, if he refuses to come to reasonable terms, the Council can ask the County Council to apply to the Ministry of Agriculture for an order compelling him to accept the terms, which are to be settled by an arbitrator appointed by the Ministry; and this arbitrator must not add to the price because of the compulsion. If the County Council will not move, the Parish can appeal to the Ministry direct. If the land is only to be leased, then the lease must be for not less than fourteen or for more than thirty-five years; but this term can be renewed at the will of the Council. Having acquired the land, the Council can adapt it for use by draining, fencing, road making, erecting buildings (including a dwelling house on any allotment of not less than one acre), and let it out to any one of the labouring population, or to

a group of persons working as a co-operative colony, or to an association for the promotion of allotments. The rent must be sufficient to repay all the money that the council has spent on the land, so that no charge shall ultimately fall on the rates; but a Council may levy a rate or raise a loan to meet the expenses in the first instance. For purchase of land a loan may be obtained from the Government repayable in 60 years. So long as it repays the expenses, the Council can let as cheaply and on as favourable terms as it pleases. The tenant in every case can remove any fruit trees or bushes and he has no claim to compensation on giving up the tenancy. Allotments must not exceed five acres. Rights of common, or land for common pasture, can be acquired for the use of allotment holders.

If a Council neglect to consider these matters, any six registered electors or resident ratepayers can request (in writing) the Council to discuss the need of the neighbourhood. Although these petitioners cannot force the Council to return a favourable answer to a request for land, this petition is a useful step to take, as it forces the Council to state its intention.

If the Council refuse to provide allotments, the County Council can take over all the allotment powers of the Parish Council, and charge all the expenses on the defaulting Council.

#### HOUSING

For the purposes of Housing and Town Planning a Parish Council is not a Local Authority, the smallest unit dealing with these functions being a District Council. But it is the duty of the Parish Council or Parish Meeting to be the watchdog of the interests of the local inhabitants in these matters. The Housing Acts require that Rural District Councils should build cottages when there is a shortage; and where a complaint is made to the Ministry of Health by the parish council or parish meeting that the local authority have failed to exercise their powers, the Ministry may, after enquiry, declare the authority to be in default and itself act in lieu. Complaint may be made also to the County Council, with a similar effect, instead of to the Ministry. It is thus the business of the Parish Council to see that the Rural District Council discharges its obligations in this respect. (See also paragraph relating to Housing, under heading Powers of Rural District Council.)

#### CHARITIES

The Parish Council has no control over ecclesiastical charities (which include charities given for sermons or for the benefit of the parson), or buildings used by one religious body, or erected mainly by or at the cost of the members of any particular religious denomination; except that in cases where the overseers used to be trustees, the Council now appoints trustees in their place.

In non-ecclesiastical charities the Parish Council may appoint trustees, who hold office for four years, half of them retiring every two years. The names of the people who receive benefits from the charities must be published every year as the Parish Council think fit, and all accounts of charities must be laid before the Parish Meeting every year. The Parish Council may undertake the management of a charity when the trustees transfer it to them of their own free will, and the Charity Commissioners approve.

Any new scheme affecting a charity must be presented to the Parish Council or to the Parish Meeting where there is no Council, and they may oppose its being carried out.

But none of the provisions with regard to the appointment of trustees apply to any charities founded since 1854, unless the giver is alive and consents. No trustee of a charity, his wife, or children may receive any benefit from the charity.

**EDUCATION.**

The Parish Council and, where there is no Council, the Parish Meeting, has the right to appoint one of the managers of every primary school in the area, and usually the Council is asked to appoint one or more governors of any secondary school covering the area. The Parish Council can arrange with their County Council for evening classes in any subjects for which there is a local demand. They can direct their manager to get the School Managers to arrange for a nursery class for the children under five. A Report on the Schools, prepared by the Parish Manager, should be presented once a year to the Council and by them to the Annual Parish Meeting.

**RECREATION GROUND.**

Every village in England ought to possess a recreation ground and pavilion for games of all kinds. But owing to the enclosure of village greens, or the fact that it is nobody's business to get them in good condition and keep them so, a great many villages are without any convenient playground. The Parish Council is able to supply the want. It has power to buy, compulsorily if necessary, or to hire land for a recreation ground and to make regulations for its use, and if it is proposed to purchase the land, the money may be raised by loan ; or alternatively it can ask the Rural District Council to make provision for a recreation ground in its Planning Scheme.

**WATER.**

An unwholesome or insufficient water supply is a very common grievance in villages. It is the duty of the District Council to organize any new supply on a large scale. But the Parish Council may dig wells, put up windmills to pump the water, lay pipes to bring water from a stream up to the houses, and, in fact, make use of any source of water within the parish in whatever way appears best, provided that it interferes with no one's rights, or that the matter can be arranged by agreement.

It has also power to cleanse ponds and ditches and to call the attention of the District Council to any unhealthy cottage or other sanitary defect in the parish. If the District Council does not take action, the County Council may be appealed to, and may undertake the work.

**FOOTPATHS.**

The Parish Council may take steps to prevent any stopping of a right of way or enclosure of common or roadside waste; but when legal proceedings are necessary the District Council must undertake them. The Parish Council has power to buy by agreement any new right of way that would be of advantage to the people. It may also repair footpaths, except those at the side of the roads, and, if the Parish Meeting consents, it may lay out new walks and put seats along them. But it cannot, except by consent of the landowner, change the permanent condition of a path: for example, by laying down gravel where there has been none before.

A good plan for preserving footpaths is for the Council to mark all the rights of way on an ordnance map, give notice to all landowners concerned that the map has been prepared, and, after any disputes have been settled, sign it and preserve it as a parish record.

The Commons and Footpaths Preservation Society, 71, Eccleston Square, London, S.W.1, will always give advice and help in any dispute about rights of way.

**THE VILLAGE HALL AND COMMUNITY CENTRE.**

In every parish which can by any means afford it, there should be a hall with a library and reading room, which should be at once the centre of the

village life and interest, a place for all kinds of meetings, and a generally useful means of education. Such a place is usually called a Community Centre. How to obtain and to run such a centre is explained fully in a pamphlet called "Community Centres" issued by the Ministry of Education and obtainable from H.M. Stationery Office.

#### OTHER DUTIES.

The Parish Council should always take a wide view of its duties and of its place in the life of the village. Broadly speaking, any aspect of Local Government which affects the parish is the business of the Parish Council, no matter what authority is legally responsible. For example, proposals to alter the boundaries of neighbouring local authorities or the boundaries of electoral divisions should be carefully scrutinised by the Parish Council, and brought by them to the notice of a Parish Meeting, so that local opinion can be expressed and then represented to higher authority by the Parish Council. Again, Planning proposals (e.g., to zone an area in the parish for factories, or to make a bye-pass road, or to put up overhead power lines down the village street) should never be allowed to pass without examination and appropriate action by the Parish Council. Nor should sins of omission escape the attention of the Council—for example, failure of H.M. Inspector to get necessary repairs done to the village school; failure of the Local Education Authority to provide evening classes or to make proper provision for school meals; failure of the County Council to carry out a necessary road improvement or its refusal to sign-post the public footpaths and rights of way; failure of the bus company to provide a proper service for the village or a convenient shelter at the stopping place. In all such matters, the Parish Council has an over-riding duty to represent to the proper authority the needs and wishes of the village; in the last resort, it should not shrink from carrying its appeal, with the help of the local M.P., to the appropriate Minister of State. An alert and resourceful Parish Council can do a very great deal to make life in the country village very much more worth living.

#### EXPENSES.

The expenses of the Parish Council are paid out of the special Rate for the Parish, which is levied by the District Council upon the ratepayers of the Parish over and above the General Rate which is levied equally upon the whole district. The Parish Council may not spend beyond the amount of a fourpenny rate without the consent of the Parish Meeting, and even with its consent the limit is eightpence in the £. But the cost of lighting the roads, maintaining a library or baths, and one or two other things are not included in this limit. For important undertakings the Parish Council may borrow money with the consent of the Parish Meeting, the County Council, and the Ministry of Health, but not any sum exceeding half the rateable value of the parish. The cost of Parish Meetings and elections to the Parish Council must be paid out of the fourpenny rate.

#### THE PAROCHIAL COMMITTEE.

The Parish Council may ask the Rural District Council to appoint a "Parochial Committee," and to make the Parish Council that Committee, with the addition of the district councillor for that parish. Then the Parish Council (besides all its own powers) may exercise within its own parish nearly all the powers that the Rural District Council possesses, if they are delegated to the Parochial Committee. Usually Parochial Committees are formed for special purposes, such as Street Lighting or Burial Grounds, and their powers are correspondingly limited.

## POWERS OF THE RURAL DISTRICT COUNCIL.

Many of these powers have been referred to in the paragraphs dealing with Parish Councils, especially those connected with rights of way, commons and wayside wastes, and water supply. The chief concerns of the Council are:

### RATING.

The Rural District Council is the Rating Authority. It determines the rateable value of property in its area and fixes the rate to be levied each half-year. It issues the rate demand notes and arranges for the collection of the money. The rate levied by the District Council includes the money required by the County Council for the services administered by the County Council. These services cost anything from five to ten times as much as do those of the Rural District Council. In addition, householders have to pay the Special Parish Rate which is levied at the same time by the District Council to meet the expenses of the Parish Council and of certain services (e.g., Street Lighting and Burial Grounds) where these are administered by the District Council. Thus it comes that the actual rate levied may vary considerably from Parish to Parish within a Rural District.

### HOUSING.

By far the most important duty of a Rural District Council is the building of cottages to let. It is very important that these new houses should be sufficient in number and that the rents should be such as can reasonably be paid by country people. The Council should employ a qualified Architect, so as to ensure competence in design and due regard to amenity, e.g., making the new buildings blend with the style and character of the older buildings in the village. The Council's Estate-management department should include a properly trained Welfare Officer.

The Rural District Council must also carry out periodic inspections of house property, so as to compel owners to repair insanitary and unsatisfactory dwellings. In the last resort it can order the demolition of property too far dilapidated for repair. It has also the duty to abate over-crowding by court proceedings, though this sort of action is unlikely to be successful until alternative new houses are available.

The Council can, by agreement, take over existing dwelling houses in order to let them out to those in need of accommodation. It may spend money in dividing up large houses so as to accommodate several families. At the present time (1947) a Rural District Council may requisition empty houses and let them (with or without previous adaptation) to persons inadequately housed.

At present (1947) all private building and all repairs to private houses costing more than £10 are controlled by District Councils. Applications for permission to carry out such work must be made to the District Council and it is the duty of the Council to see that only necessary repairs and decorations are undertaken and that in building new houses the ratio of one private house to four council houses is not exceeded.

### PLANNING.

Intimately bound up with Housing is the proper Planning of the countryside and here again the Rural District Council is the Authority charged with this duty. Under a Planning Scheme, building development can be guided in an orderly way, so that the beauty of the countryside is spared the haphazard growth of bungalows and villas, and factories can be located where new industry is needed. A Planning Scheme should in every village make reservation for a Recreation Ground and in the larger villages on a more ambitious scale for Community Centres. Every Rural District Council should

prepare a plan for the whole of its area, either independently or, as is more usual today, by joint action with neighbouring authorities.

#### WATER SUPPLY AND SEWERAGE.

A plentiful supply of good water is recognised today as a necessity for every civilised home. It is important, therefore, that the Rural District Council should not only bring a piped water supply into every village, but that it should compel landlords to lay it on to the cottage property. Piped water supply means, sooner or later, main drainage: in the future, therefore, there will have to be many new sewerage schemes for the larger villages. To prepare and manage these schemes of water supply and sewerage, every Rural District Council should employ a properly qualified engineer.

#### PUBLIC HEALTH.

Over and above Housing, Water Supply and Sewerage, the Rural District Council has many important duties in connection with Public Health. These are:—

- (a) Adoption and enforcement of Building Bye-laws.
- (b) Scavenging and removal of household refuse.
- (c) The provision of hospital treatment for certain infectious diseases, e.g., Scarlet Fever, Typhoid Fever and Diphtheria.
- (d) The provision of facilities for immunisation against diphtheria.
- (e) The inspection of shops to prevent the sale of diseased and unwholesome meat and food, and of dairies and cowsheds to prevent the distribution of unclean and adulterated milk.
- (f) The inspection of factories and workshops and of Public Houses so as to ensure the provision of proper sanitary arrangements.
- (g) The inspection of School premises, particularly their sanitary offices and the washing facilities.
- (h) The provision of Burial Grounds.
- (i) The regulation of Canal Boats.

To carry out these duties properly every Rural District Council must have a qualified Medical Officer of Health and several Sanitary Inspectors.

#### WATER COURSES.

In many parts of the country the Rural District Council has the duty of cleaning out and keeping free from obstruction the "awarded" water courses in the area. In some parts, especially in the Fen lands, this is a very onerous service involving the employment of costly dredging machinery. Although the responsibility of the Rural District Council for drainage as such extends only to the streams and ditches specifically mentioned in the various Enclosure Acts, as a public health authority the Rural District Council has a duty to clean out any foul ditch and generally to prevent streams and ponds from becoming unlawfully polluted with sewage.

#### STREET LIGHTING.

The Rural District Council, by obtaining urban powers, may undertake Street Lighting. This is by far the most convenient way of lighting villages and should always be adopted in preference to the antiquated and cumbersome procedure of the Lighting and Watching Act.

#### MISCELLANEOUS

The Council also has the duty of licensing pawnbrokers, game-dealers, and knackers' yards, and of controlling the storage and sale of petroleum. It has the power to take over the control of commons, and to manage them, but the consent of the lord of the manor and the commoners must first be obtained.

## POWERS OF THE URBAN DISTRICT COUNCILS.

These Councils have all the rights and duties of the Rural District Councils except those which are exercised by a Rural District Council in connection with the Parish Councils of its district. As there are no Parish Councils in an Urban District, these powers and duties cannot exist.

It is the Sanitary Authority, and therefore exercises all the duties connected with the care of the Public Health set out above; further, as an Urban Authority, it already has those powers, enumerated above, which a Rural District Council can obtain by application to the Ministry of Health. It has nearly all the powers and duties of a Town Council, except the regulation of the police. It is the Housing Authority for the area and also the Planning Authority.

The Council has the powers, under the Allotments and Small Holdings Act, 1922, which are possessed by the Parish Council for buying or hiring land for allotments. It can obtain, by application to the Ministry of Health, all the other powers of a Parish Council, in particular those relating to charities and to the use of rooms. It becomes the authority for all the adoptive Acts. It may also become a Library Authority under the Public Libraries Act, 1892, unless forestalled by the County Council, which, under the Act of 1919, may declare itself the Library Authority for any district within its area. It has the right to appoint a manager of every primary school in its area and it will usually appoint managers to the Secondary Schools in its area. It will be represented on the Education Committee (or on the Divisional Executive) covering its area.

It can obtain powers, by private Acts of Parliament and otherwise, to erect, or buy and to manage, gas works, electric light works, water works, tramways, markets and parks.

For fuller particulars see Fabian Tract No. 189, "Urban District Councils."

**NOTE** *This pamphlet, like all publications of the Fabian Society, represents not the collective view of the Society but only the view of the individual who prepared it. The responsibility of the Fabian Society is limited to approving the publications which it issues as embodying facts and opinions worthy of consideration within the Labour Movement. It is the aim of the Society to encourage among socialists a high standard of free and independent research.*

# WHAT TO READ

## ON LOCAL GOVERNMENT

Those readers who wish to study local government and its problems more extensively will find the following list of books and pamphlets a useful guide. Most of them are quite readable and of reasonable length, but many will not be in print when required and will have to be sought in libraries, etc.

### FABIAN PAMPHLETS

#### TRACT SERIES (uniform with this pamphlet, revised 1946)

189	<b>Urban District Councils</b>	by C. M. Lloyd	6d
190	<b>Metropolitan Borough Councils</b>	by C. R. Attlee	6d
191	<b>Borough Councils</b>	by C. R. Attlee	6d
218	<b>County Councils</b>	by H. Samuels	6d

#### RESEARCH SERIES

46	<b>Scottish Local Government</b>	by W. H. Marwick	6d
47	<b>Reform of the Rating System</b>	by John Sullivan	6d
90	<b>The Education Act, 1944</b>	by Shena D. Simon	1/-

Further pamphlets are being prepared. Up-to-date booklets are always obtainable from the Fabian Bookshop, 11, Dartmouth Street, S.W.1.

#### OTHER PUBLICATIONS

<b>Local Government in England and Wales</b> by W. E. Jackson	Penguin	1945	9d
<b>The A.B.C. of Local Government</b> by C. Kent Wright	Evans	1939	4/6
<b>Local Government in Britain</b> by E. L. Hasluck	C.U.P.	1936	12/6
<b>A Century of Municipal Progress</b> Edited by H. J. Laski, W. I. Jennings and W. A. Robson	Allen & Unwin	1936	21/-
<b>The Councillor</b> by A. N. C. Shelley	Nelson	1939	3/-
<b>Principles of Local Government Law</b> by W. I. Jennings	L.U.P.	O.P.	7/6
<b>Local Government in Modern England</b> by J. P. R. Maud	O.U.P.	1932	3/-
<b>The Development of Local Government</b> by W. A. Robson	Allen & Unwin	1931	12/6
<b>The Law Relating to Local Elections</b> by O. F. Dowson and H. W. Wightwick	Knight	1945	25/-
<b>The Reform of Local Government Finance</b> by A. N. Silver	Lawrence & Wishart	1945	2/-
<b>Parish Councils</b> <b>Village Halls and Social Centres in the Countryside</b>	{ Both published by the National Council of Social Service		
<b>The Reform of Local Government Structure</b> (1942, 6d)			
<b>Report on Relations between Local Government and the Community</b> (1945, 6d)	{ Both published by the National Association of Local Government Officers		

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